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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

MIRIAM KOLCHINSKY PORUSH

08 MAR 28 P4:42

Plaintiff,

CITY OF MILWAUKEE

RON ROBERTS

ANGELA FERRELL

MIKE D'AMATO

Defendants.

JON V. SANFILIPPO  
CLERK

08-C-0279

JURY DEMAND ON ALL COUNTS

COMPLAINT AT LAW

NOW COMES the above-named Plaintiff, MIRIAM PORUSH, Pro Se and as her  
Complaint at Law for actual, general, punitive, statutory, incidental and consequential damages  
for unconstitutional taking of private property in violation of the Civil Right Act, 42 USC § 1983  
against the above-named defendants CITY OF MILWAUKEE, RONALD ROBERTS,  
ANGELA FERRELL, MICHAEL D'AMATO,  
alleges as follows:

JURISDICTION

1. That this action arises under the Civil Right Act, 42 USC § 1983. The plaintiff seek,  
among other relief, to recover actual damages in aggregate sum in excess of \$75,000.00 (Seventy  
Five Thousand Dollars), as well as general, special, incidental and consequential damages (in the  
sum not yet certain but to be proven at trial) from the above-named defendants, jointly and  
severally for unconstitutional taking of private property in violation of 42 U.S.C. § 1983 as well  
as under other legal theories incorporated herein under the doctrine of pendent jurisdiction.
2. That the United States District Court for the Eastern District of Wisconsin has  
jurisdiction over the cause of action set forth in this complaint under and pursuant to under 28

U.S.C, § 1331.

3. That all the above-named defendants, and each of them, either are incorporated or are doing business within, or are residents of the State of Wisconsin.

4. That the matter in controversy exceeds \$75,000.00 exclusive of interest and costs, in that the plaintiff alleges actual damages in the amount of \$ 651,500, as well as general, special, incidental and consequential damages in the sum not yet certain but to be ascertained and proven at trial.

5. That the court's jurisdiction is invoked under 28 U.S.C, § 1331 and 28 U.S.C § 1332.

### PARTIES

6. That at all times material hereto and is now the above-named plaintiff MIRIAM KOLCHINSKY PORUS was an adult, competent resident of State of Wisconsin.

7. That the above-named defendant, City of Milwaukee is a municipal political subdivision within jurisdiction of the State of Wisconsin and with principal place of business at: 200 E. WELLS STREET, MILWAUKEE WI 53202.

8. That the above-named defendant, RONALD ROBERTS is an adult, competent resident of State of Wisconsin, who <sup>WORKS</sup> resides at the DNS department and is a City of Milwaukee employee and Supervisor.

9. That the above-named defendant, ANGELA Ferrell is an adult, competent resident of State of Wisconsin, who ~~works at~~ the DNS department and is a City of Milwaukee employee and Inspector.

10. That the above-named defendant, Mike D'Amato is an adult, competent resident of State of Wisconsin, who ~~works at~~ as an Alderman and

is a City of Milwaukee employee as of now.

### STATEMENT OF CLAIM

11. That subject matter of this action is REAL PROPERTY ON A PARCEL  
of land known as Milwaukee County Tax Key Parcel Number for 32PS-87 N Shepard Ave,  
Milwaukee WI 53211
12. That MIRIAM PORUSH is rightful owner of that parcel of land.

### COUNT ONE

Cause of Action Pursuant to 42 U.S.C. Sec.1983

As a separate cause of action against all the above-named defendants, jointly and severally, the above-named Plaintiff alleges as follows:

14. That Plaintiff repeats, re-alleges, and adopts paragraphs 1-13 of preceding sections of this entire Complaint including but not limited to Jurisdiction Section, Parties Section and Statement of Claims Section as set forth fully herein and incorporates them by reference:

17. That, at all times material hereto, the above-named defendants while acting under color of law and outside of their ~~GOVERNMENTAL~~ capacity deprived the above-named plaintiff of any use and enjoyment of her Property.

18. That, while acting under color of law, and outside of their legislative capacity the above-named defendants effectuated unconstitutional taking of said property without any compensation.

19. That, as a direct and proximate cause of the above-identified wrongful conduct

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perpetrated by the above-named defendants under color of law, the above-named plaintiff incurred substantial actual financial loss is approximate sum of \$651,500, as well as was subjected to general, special, incidental and consequential damages in the sum not yet determined but to be proven at trial.

WHEREFORE, PLAINTIFF demands judgment against all the above-named defendants, jointly and severally, in the amount of actual damages in the sum in excess of \$75,000.00; as well as in the sum of general, special and statutory damages in the amount to be determined at trial; the amount of reasonable attorneys fees pursuant to 42 USC § 1988; the amount of punitive damages in the sum to be determined by jury; the amount of costs, expenses and disbursements of this action; as well as for any other and future relief the Court deems fit and proper.

Dated: March 28, 2008

3287 NORTH SHEPARD AVENUE  
MILWAUKEE WI 53211  
414-906-1606  
Address and phone number.

Niziam Kolaliang Ponsu